

Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		Attorney Docket No.: 27588U Application No.: 10/588524 Inventor's Name:
International Application: PCT/EP2005/000159	International Filing Date: JANUARY 11, 2005	Priority Date Claimed: FEBRUARY 17, 2004
Title of Invention: FOLDABLE SPECTACLES, SPECTACLE CASE AND ARRANGEMENT OF FOLDABLE SPECTACLES IN THE FOLDABLE CASE		
Applicants for DO/EO/US: GERBER, Hans; NIZZOLA, Luca; COMBI, Maurizio		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document in favor of DIAMOND SA of Losone, SWITZERLAND for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) 		

U.S. Application No. 10/58524 Not Assigned		International Application: PCT/EP2005/000159		Attorney Docket No.: 27588U	
20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; INTERNATIONAL PUBLICATION NUMBER: WO 2005/081047 A1, WITH THE PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: SEPTEMBER 1, 2005; IN THE GERMAN LANGUAGE, WITH AN ENGLISH ABSTRACT; ENGLISH TRANSLATION OF APPLICATION, WHICH CONSISTS OF 38 PAGES: 25 PAGES OF TEXTUAL SPECIFICATION, 5 PAGES OF 18 CLAIMS, AND 8 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT, WHICH CONSISTS OF: ATTACHMENT A, TO BE EXAMINED ; EXECUTED DECLARATION AND POWER OF ATTORNEY; EXECUTED ASSIGNMENT, WITH A RECORDATION COVER SHEET; INFORMATION DISCLOSURE STATEMENT; PTO FORM-1449, WITH 5 CITED REFERENCES, AND COPIES OF 1 OF THE 5 CITED REFERENCES; POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.					
The following fees are submitted:				<u>CALCULATION</u>	<u>PTO USE ONLY</u>
21. <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492(a))..... \$ 300.00				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 All other situations \$ 200.00				\$ 200.00	
23. <input checked="" type="checkbox"/> Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$ 400.00 All other situations \$ 500.00				\$ 400.00	
Total of 21, 22 and 23				\$ 900.00	
_ Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	# of each additional 50	RATE		
46-100 =	0/50 =	0	X \$250		
Surcharge of \$130.00 for furnishing the oath or declaration later than _ 20 _ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	# FILED	# EXTRA	RATE		
TOTAL	18-20=	0	X \$50		
INDEPENDENT	1-3=	0	X \$200		
Multiple dependent claims (if applicable)			+ \$360		
TOTAL OF ABOVE CALCULATIONS =				\$ 900.00	
_ Applicant claims small entity status. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					
TOTAL NATIONAL FEE =				\$ 900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 940.00	
				Amount to be: refunded	\$
				Amount to be: charged	\$

10/588524 IAP11 Rec'd PCT/PTO 07 AUG 2006

U.S. Application No.
Not Yet Assigned

International Application:
PCT/EP2005/000159

Attorney Docket No.: 275880

- a. ☒ Two checks in the amounts of **\$900.00** and **\$ 40.00** to cover the above fees are enclosed.
- b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

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By: 

Gary M. Nath
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MAIL STOP - PCT
Attorney Docket: 27588U
Date: August 7, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GERBER, et al.

Application No.: Not Yet Assigned

Filed: August 7, 2006

Intl. Application No.: PCT/EP2005/000159

Intl. Filing Date: January 11, 2005

Title: FOLDABLE SPECTACLES, SPECTACLE CASE AND ARRANGEMENT OF FOLDABLE SPECTACLES IN THE FOLDABLE CASE

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

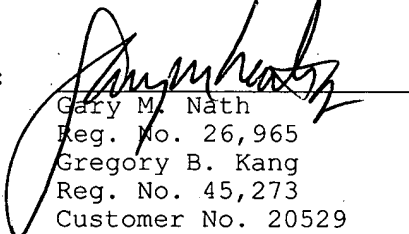
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- 2) International Publication Number: WO 2005/081047 A1, with the PCT/ISA/210 (International Search Report); International Publication Date: September 1, 2005; in the German Language, with an English Abstract;
- 3) English Translation of Application, which consists of 38 pages:
25 pages of Textual Specification,
5 pages of 18 Claims, and
8 sheets of Drawings;
- 4) Preliminary Amendment, which consists of:
Attachment A, to be EXAMINED;
- 5) Executed Declaration and Power of Attorney;
- 6) Executed Assignment, with a Recordation Cover Sheet;
- 7) Information Disclosure Statement;
- 8) PTO Form-1449, with 5 cited references, and copies of 1 of the 5 cited references;
- 9) Check No.: 2591 in the Amount of \$900.00 for the Basic Filing Fee, which includes the Search and Examination Fees, as a Large Entity;
- 10) Check No.: 2592 in the Amount of \$40.00 for the Recordation of the Assignment Fee;
- 11) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath
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